

## REMARKS

The present application stands with claims 1-14 rejected under 35 U.S.C. §102(b) as being anticipated by the reference "Frames Multiple Access For UMTS", IEE, pages 1-8, written by Ojanpera, Klein and Anderson. The Examiner in his Office Action refers to this document as "Klein." Since, however, a previous document cited by the Examiner was also referred to as "Klein", the document noted above will hereinafter be referred to as "Ojanpera" to avoid confusion with the previous document, which will continue to be referred to as "Klein" below.

Claim 1 has been amended above to further distinguish the claimed invention. In accordance with the present invention, a burst of data in a TDMA frame comprises a first data portion and a second data portion that are separated by a training sequence where the first data portion contains data of a first user and the second data portion contains data of a second user. Claim 1 has been amended to distinctly point out that the method comprises "transmitting only data of a first user in a first data portion of a burst before the training sequence and only data of a second user in a second data portion of the burst after the training sequence."

The method of claim 1, as amended, is contrary to the teaching of the Ojanpera reference. One page 2, last paragraph of Ojanpera, the following is recited:

"Thy physical content of the time slots are bursts of corresponding length as described in the following. Within each time slot of length 72  $\mu$ s and 288  $\mu$ s, only one burst of corresponding length can be transmitted. Within each time slot of length 577  $\mu$ s, an additional separation of user signals by spreading codes is used. These multiple bursts within the same time slot can be allocated to different users or partly or all to one and the same user."

This means that within one time slot of length 577  $\mu$ s, more than one burst of corresponding length can be transmitted on different channels using different spreading codes. It is clear from this teaching in Ojanpera that each burst takes the full length of the time slot and carries data of only one user. Thus, there is no

suggestion to carry the data of only one user in a first portion of the burst and data of only a second user in a second portion of the burst, where the two portions are separated by a training sequence, as is required by applicants' amended claim 1.

Turning now to the Examiner's paragraph 4 "Response to Arguments", it is respectfully submitted that the recitation in amended claim 1 of "the method comprising transmitting only data of a first user in a first data portion of a burst before the training sequence and only data of a second user in a second data portion of the burst after the training sequence" is also opposite direction to the teaching of the previously cited Klein reference. Klein on page 38, left hand column, 1<sup>st</sup> paragraph, discloses:

"The physical content of the time slots are bursts of corresponding length. Within each timeslot of length 72  $\mu$ s and 288  $\mu$ s, one burst of corresponding length can be transmitted. Within each time slot of length 577  $\mu$ s up to eight bursts of corresponding length, separated by different spreading codes, can be transmitted. These multiple bursts within the same time slot can be allocated to different users or partly or all to one and the same user".

It is apparent that what is taught in Klein is that bursts each of the full length of the time slot are being sent in parallel where each burst carries data of only one user. This is confirmed by Klein on page 37, right-hand column, bottom, which discloses

"A basic physical channel is one time slot in the case of FMA1 without spreading and one time slot and one spreading code in the case of FMA1 with spreading. In FMA1, user bit rates from a few kb/s up to 2 Mbps are achieved by allocating different numbers of physical channels to a user".

The important point here is that a channel corresponds to a single user. Accordingly, multiple users in the same time slot require multiple channels differentiated by the use of different spreading codes.

It is respectfully noted that the Klein reference is related to, and is no more relevant than, the Ojanpera reference discussed above.

Turning now to the previously cited Meche UWC-136 document, it also does not appear relevant to amended claim 1. In particular the teaching of Section 2.6 (page 60) does not disclose or teach "transmitting only data of a first user in a first data portion of a burst before the training sequence and only data of a second user in a second data portion of the burst after the training sequence" as required by applicants' amended claim 1.

Accordingly the Examiner's efforts to justify that EDGE and UWC-136 are in the same technical field are rendered moot. Furthermore, there is no motivation for the skilled reader to seek to combine the teachings of Klein and UWC-136. Furthermore, even if the skilled person were to seek to combine the teaching of Klein and UWC-136 Section 2.6 (page 6), he or she would be led by Klein to use bursts of full length of a time slot sent in parallel, each burst being for one user, as explained previously. This is contrary to the present invention according to claim 1.

With regard the Examiners point on page 7 lines 8-13 of the Office Action, as explained above, Klein teaches different users in a time slot to have separate spreading codes and hence separate time slot-length bursts sent in parallel. As previously explained, the recitations in amended claim 1 clearly distinguishable applicants' claimed invention from Klein.

In view of the foregoing, it is respectfully submitted that amended claim 1 and the dependent claims thereon are patentably distinguishable and unobvious over the cited references. It is further submitted that this amendment places the application in a condition for allowance and doesn't raise any new issues and therefore should be entered.

For the reasons discussed above, each of the claims presently in the application is believed to be in a condition for allowance. Passage to issue of the subject application is therefore respectfully requested. Should the Examiner feel that the present application is not yet in a condition for allowance and that a telephone or personal interview would be helpful, he is invited to contact applicants' undersigned attorney at **973, 386 8252**.

Respectfully submitted,

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